

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
Thomas W. Stone)
Serial No. 10/700,828) Group Art Unit 2613
Filed: November 4, 2003) Examiner: Agustin Bello
For: WAVELENGTH SELECTIVE)
SWITCHING AND/OR) Atty Dkt 10020907-1
ROUTING SYSTEM) Confirmation No. 6251

Response to Notification of Non-Compliant Appeal Brief Dated 10/04/07

To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On page 2 of the Notification of Non-Compliant Appeal Brief mailed October 4, 2007, in the above-captioned application, the Examiner indicates that Claim 19 (allowed) should not be included in section V. of the Appeal Brief.

Applicant has changed section V. of the Appeal Brief such that Claim 19 is excluded. Only the pages including section V. of the Appeal Brief are included. Applicants now believe the Appeal Brief is compliant.

Respectfully submitted,
KLAAS, LAW, O'MEARA & MALKIN, P.C.

November 1, 2007

/John Pessetto/

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(5) SUMMARY OF THE CLAIMED SUBJECT MATTER

Appellant's invention as independently claimed is summarized and explained below with reference numerals, specification page numbers and drawing figure numbers indicating where the claim finds support in the specification and drawings.

1. A method for optically switching/routing comprising the steps of (1) separating input optical radiation (25) into distinct input channels (35-45) [Figure 1a; page 10, lines 4-6], (2) selecting desired distinct output channels (55-65) [Figure 1a; page 10, lines 16-18], (3) propagating said distinct input channels (35-45) through a selectable grating based switching/routing sub-system (50), the selectable grating based switching/routing sub-system (50) comprising at least one pixellated switchable component, in order to direct said distinct input channels (35-45) to desired distinct output channels (55-65) [Figure 1a; page 10, lines 5-20], and, (4) recombining said desired distinct output channels (55-65) [Figure 1a; page 10, lines 16-18].

5. An optical switching/routing system comprising an optical separating sub-system (15) [Figure 1a; page 9, lines 22-23]. The optical separating sub-system is capable of separating input optical radiation (25) from at least one input beam/port (20) into distinct input channels (35-45) [Figure 1a; page 9, lines 22-34 and page 10, lines 3-6]. The optical switching/routing system also comprises an optical recombining sub-system (75) [Figure 1a; page 9, lines 23-25]. The optical switching/routing system also comprises a selectable free space grating based switching/routing sub-system (50), the selectable switching and routing sub-system (50) being interposed optically between the optical separating sub-system (15) and said optical recombining sub-system (75) [Figure 1a; page 9, lines 22-26 and page 12, lines 21-26]. The

selectable switching and routing sub-system (50) also comprises at least one pixellated switchable component [Figure 1a; page 9, lines 22-26 and page 12, lines 21-26]. The selectable switching/routing sub-system (50) is capable of switching/routing the distinct input channels (35-45) to desired distinct output channels (55-65) [Figure 1a; page 10, lines 6-18 and page 12, lines 21-26]. The optical recombining subsystem (75) is capable of redirecting and recombining said desired distinct output channels (55-65) for output into at least one output beam/port (80-95) [Figure 1a; page 9, lines 22-26, page 10, lines 20-24 and page 12, lines 21-26].